

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR WEDNESDAY, OCTOBER 14, 2015

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

October 15, 2015 @ 1:30 p.m.:

- a. Loyal Order Of Moose 443, 45 Chestnut Street, Dover, NH.
Social Club License #14701 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month – 2 counts.
Dates of violations: August 10, 2015 & September 11, 2015.
Case #s: 15-317-OF & 15-356-OF.

October 15, 2015 @ 1:30 p.m.:

- b. Club 550, 2025 White Mountain Highway, North Conway, NH.
Sports Entertainment License #2503005 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violations: May 25, 2014.
Case #: 14-202-OF, 14-466-OF & 15-28-OF.
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.
TO BE RESCHEDULED AT THE REQUEST OF THE CHIEF HEARINGS OFFICER.

November 19, 2015 @ 8:30 a.m.:

- c. Whiskey Barrel BBQ & Roadhouse, 200 Portland Street, Lancaster, NH.
Restaurant Full Service With Lounge License #1488803 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 3 counts
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Dates of violations: March 29, 2015 & May 10, 2015.
Case #s: 15-114-OF & 15-184-OF.

November 19, 2015 @ 9:30 a.m.:

- d. Jewel Nightclub, 61 Canal Street, Manchester, NH.
Sports Entertainment License #6018305 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Date of violations: February 22, 2015.
Case #s: 15-61-OF & 15-63-OF.

November 19, 2015 @ 10:30 a.m.:

- e. UPS, 55 Glen Lake Parkway, Atlanta, GA.
Carrier-Beverage/Wine/Liquor License #748116 licensed pursuant to RSA 178:14.
Cited for violation of RSA 179:5, I/Liq. 1104.06 – shipped and delivered alcohol for a company on the unauthorized shippers list – 2 counts.
Cited for violation of RSA 179:5, I – failed to obtain an adult signature when delivering an alcohol product.
Dates of violations: April 29, 2015, June 29, 2015 & July 21, 2015.
Case #: 15-173-OF, 15-259-OF & 14-288-OF.

November 19, 2015 @ 1:00 p.m.:

- f. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH.
Restaurant Full Service With Lounge License #1369903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violations: June 28, 2015.
Case #: 15-266-OF.

November 19, 2015 @ 2:00 p.m.:

- g. American Legion Post 31, 11 Charles Street, Penacook, NH.
Veterans Club License #18039 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: May 9, 2015.
Case #: 15-181-OF.

December 11, 2015 @ 9:30 a.m.:

- h. Crazy Camel, 245 Maple Street, Unit #1, Manchester, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402006 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: February 24, 2015. Case #: 15-65-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 11/6/2015.
COMMISSION APPROVED.
- b. American Independence Museum, Folsom Tavern, 164 Water Street, Exeter, NH 03833.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 12/4/2015.
COMMISSION APPROVED.
- c. Brickwall Bar & Grill (The) LLC, 137 Wilson Street, Manchester, NH 03104.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1517203 pursuant to RSA 178:21.
30 Day Temporary License issued: 10/5/2015.
COMMISSION APPROVED.
- d. Gas Max LLC, 680 Mast Road, Goffstown, NH 03045.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337947 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 10/2/2015.
COMMISSION APPROVED.
- e. Lambrou Entertainment, Inc., 152 North State Street, Concord, NH 03301.
To be issued Sports Recreation Facility Cocktail Lounge License #6018705 pursuant to RSA 178:22, V(v).
30 Day Temporary License issued: 10/28/2015.
COMMISSION APPROVED.
- f. Liamos Market LLC, 295 Lake Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336347 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 10/7/2015.
COMMISSION APPROVED.
- g. Lyndeborough Village Store LLC, 151 Forest Road, Lyndeborough, NH 03082.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337447 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 10/6/2015.
COMMISSION APPROVED.
- h. S A Spencer LLC DBA 2 Doors Down, 369 Route 108, Somersworth, NH 03878.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1499903 pursuant to RSA 178:21.
COMMISSION APPROVED.
- i. Seven Days Market II LLC, 175-177 Wilson Street, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3335647 pursuant to RSA 178:18 & RSA 178:19-a.
COMMISSION APPROVED.
- j. TAC Restaurants Corporation DBA California Grille, 41 Crystal Avenue, Derry, NH 03038.
To be issued Restaurant On-Premise Beverage and Wine License #1508303 pursuant to RSA 178:20.
30 Day Temporary License issued: 10/6/2015.
COMMISSION APPROVED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 9, 2015: 1,147

- a. Beverage Brothers, Inc. DBA Cider Brothers, 960 South Guild Avenue, Lodi, CA 95240.
To be issued Beverage Vendor License #75531 pursuant to RSA 178:15.
Manufacturer: Beverage Brothers, Inc.
COMMISSION APPROVED.
- b. Parsonage Cellar, Inc., 74 East Carmel Valley Road, Carmel Valley, CA 93924.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.
- c. Vineyard Brands LLC, 2000 Resource Drive, Birmingham, AL 35242.
To be issued Liquor and Wine Vendor License #114145 pursuant to RSA 178:9..
COMMISSION APPROVED.

7. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Abacus Restaurant Corporation DBA Revolution Taproom & Grill,
61 North Main Street, Rochester, NH 03867.
Restaurant On-Premise Cocktail Lounge License #1490603 licensed pursuant to RSA 178:22.
Date petition received: 10/7/2015.
Requested approval for retention of invoices at another location, to wit, a home office located at
53 Meetinghouse Hill Road, Deerfield, NH 03037 pursuant to RSA 179:25.
COMMISSION ACKNOWLEDGED.
- b. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.
Wine Manufacturer Off-Premise Wine Only License #563830 licensed pursuant to RSA 178:8.
Date petition received: 8/4/2015.
Requested approval for authorization of other area, to wit, an outside tasting area with a capacity of 45
pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Beveridge Craft Beer + Soap Co. LLC, 51 North Main Street, Wolfeboro, NH 03894.
Combination Off-Premise Beverage/Wine/Tobacco License #3306747 licensed
pursuant to RSA178:18 & RSA 178:19-a.
Date petition received: 9/28/2015.
Requested approval for authorization of other areas, to wit, an outside lawn tasting area with a
capacity of 13 and a porch tasting area with a capacity of 167 pursuant to RSA 178:24 and Liq.
404.05.
COMMISSION ACKNOWLEDGED.
- d. Beveridge Craft Beer + Soap Co. LLC, 51 North Main Street, Wolfeboro, NH 03894.
Restaurant Beverage and Wine License #1500603 licensed pursuant to RSA 178:20.
Date petition received: 9/28/2015.
Requested approval for authorization of other areas, to wit, an outside lawn area with a capacity of 13
and a porch area with a capacity of 167 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. J J Maguire AL Post 28 DBA American Legion Post 28, 43 Church Street, Pembroke, NH 03275.
Veterans Club License #17239 licensed pursuant to RSA 178:22, V(h).
Date petition received: 10/2/2015.
Requested approval for authorization of other area, to wit, an outside parking lot area with a capacity
of 100 for event date October 10, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- f. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area,
60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant Beverage and Wine License #404103 licensed pursuant to RSA 178:20.
Date petition received: 10/1/2015.
Requested approval for authorization of other area, to wit, an outside fenced in area with a capacity of 1,000 for event dates October 10, 2015 and October 11, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Lyndeborough Village Store LLC, 151 Forest Road, Lyndeborough, NH 03082.
Combination Off-Premise Beverage/Wine/Tobacco License #3337447
pursuant to RSA178:18 & RSA 178:19-a.
Date petition received: 10/6/2015.
Requested a waiver of leasing/access to part of business, to wit, to allow a doorway connecting a residence to a business to be locked at all times pursuant to RSA 179:48, IV.
COMMISSION ACKNOWLEDGED.
- h. New London Hospitality Holdings LLC DBA New London Inn/Coach House,
353 Main Street, New London, NH 03257.
Hotel On-Premise Beverage/Wine/Liquor License #368902 licensed pursuant to RSA 178:21.
Date petition received: 10/5/2015.
Requested approval for authorization of other area, to wit, an outside front porch area with a capacity of 18 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- i. Taste of Thai Restaurant LLC, 27 Seavey Street, North Conway, NH 03860.
Restaurant On-Premise Beverage/Wine/Liquor License #1390403 licensed pursuant to RSA 178:21.
Date petition received: 9/24/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 27 Seavey Street, North Conway, NH 03860 to 1857 White Mountain Highway, North Conway, NH 03860 per their letter dated September 24, 2015 with full transfer of the location on October 1, 2015 pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

None

13. COMMISSION DECISIONS PENDING AFTER HEARING:

Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1451603 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Dates of violations: October 13, 2014 & December 28, 2014.
Case #s: 14-400-OF & 15-7-OF.
HEARING WAS HELD SEPTEMBER 17, 2015.

OCTOBER 1, 2015, THE COMMISSION ISSUED ITS DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING; LICENSEE'S OBJECTION TO SGT. EMERSON'S AND SGT. CALL'S TESTIMONY IS DENIED; OBJECTION TO INVESTIGATOR MONE'S TESTIMONY IS DENIED; AND OBJECTION TO EXCLUDE POLICE AND INCIDENT REPORTS AS WELL AS A LICENSEE'S VIOLATION HISTORY AS EXHIBITS IS GRANTED.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #54131 licensed pursuant to RSA 178:15.
Date petition received: 10/2/2015.
Requests approval of Goose Island Rare Bourbon County Stout with an alcohol content of 14.8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
COMMISSION APPROVED.
- b. Winenot LLC DBA Wine Steward, The Hampstead Commons, 201 Route 111, Hampstead, NH 03841.
Combination Off-Premise Beverage/Wine/Tobacco License #3307547 licensed pursuant to RSA 178:18 & RSA 178:19-a.
Date petition received: 10/1/2015.
Requests exception to RSA 178:27, III to wit, for authorization to purchase wine from a Direct Shipper, Due Fratelli Imports LLC, 73 Mill Road, North Yarmouth, ME 04097, Permit #8238933 pursuant to RSA 178:32, III.
COMMISSION APPROVED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Prescott Park Arts Festival, Redhook Brewery, 1 Redhook Way, Portsmouth, NH 03801.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/17/2015.
Recommendation: Expedited approval.
Commission approved on 10/8/2015.
COMMISSION ACKNOWLEDGED.